

MAJOR MILESTONES REPORT – 7/15/20

Likely in July

Non-Responsive - Caribbean Environmental Protection Division

(CEPD/MCPB) – Jose Rivera)

- ORD Office of Science Advisor, Policy and Engagement (OSAPE) will announce the regional awardees for the Regional Sustainability and Environmental Sciences (RESES) program which funds ORD regional research to promote sustainable and healthy communities *(LSASD-Mindy Pensak)*
- ORD Office of Science Advisor, Policy and Engagement (OSAPE) will announce the regional awardees for the Regional State Tribal Innovation Projects (RSTIP) which provides seed funding for regional office projects (in partnership with ORD) to address state and tribal science priorities, leading to more efficient and effective environmental programs *(LSASD-Mindy Pensak)*
- Issue Proposed Plan for Imperial Oil (ROD Amendment)
(SEMD – Renee Gelbat)
 - Issue Proposed Plan for Riverside Industrial Park
(SEMD – Josh Smeraldi)
- Issue Record of Decision for Sherwin Williams/Hilliards Creek OU2
(SEMD – Ray Klimcsak)

Non-Responsive - Caribbean Environmental Protection Division

(CEPD – Luis Santos)

- FMC Dublin Road NPL Deletion *(SEMD – Isabel Rodrigues)*

Non-Responsive - Caribbean
Environmental Protection Division (CEPD – Adalberto Bosque)

Likely BEFORE the end of this Fiscal Year

- Approve NJDEP's adoption of amendments to the Surface Water Quality Standards (SWQS), N.J.A.C. 7:9B, that: upgrade the antidegradation designation of approximately 600 river miles to Category One (C1); update stream reclassifications based on trout sampling data; and modify the definition of "exceptional ecological significance." (WD - Brent Gaylord)
- Prasinos (name of firm) underground injection control draft permit public notice. Oxford, NY. (WD - Chip Hillenbrand/Kim McEathon)

Non-Responsive - Air and Radiation Division (ARD – Linda Longo)

Non-Responsive - Air and Radiation Division

(ARD – Omar Hammad)

Non-Responsive - Air and Radiation Division

(ARD – Kirk Wieber)

Non-Responsive - Air and Radiation Division

(ARD – Ysabel Banon)

- Issue Record of Decision for Newtown Creek OU2
(SEMD – Caroline Kwan, Mark Schmidt, Anne Rosenblatt)
- Issue Proposed Plan for Diamond Alkali OU4
(SEMD – Diane Salkie)
- Issue Proposed Plan and Record of Decision for Cinnaminson OU4
(SEMD – Alida Karas)
- Issue Record of Decision for Ringwood Mines
(SEMD – Joe Gowers)
- Issue Proposed Plan and Record of Decision for GCL OU3
(SEMD – Ashley Similo)

Non-Responsive - Caribbean Environmental Protection Division (CEPD – Luis Santos)

- Issue Proposed Plan and Record of Decision for Facet OU3
(SEMD – Isabel Rodrigues)
- Issue Record of Decision for Imperial Oil (ROD Amendment)
(SEMD – Renee Gelbat)
- Issue Record of Decision for Riverside Industrial Park
(SEMD – Josh Smeraldi)
- Issue Record of Decision for Unimatic OU2
(SEMD – Trevor Anderson)
- Following the public comment period and agency reviews, the Barnegat Bay Partnership's revised estuary Comprehensive Conservation & Management Plan (CCMP) will be final.
(WD, Barbara Spinweber)
- Posting of the five-year Lake Ontario Lakewide Action and Management Plan. (WD, K. Heineman & A. Sexton-Sims).

Non-Responsive - Land, Chemicals and Redevelopment Division

Non-Responsive - Land, Chemicals
and Redevelopment Division

(LCRD – Adolph Everett)

Non-Responsive - Land, Chemicals
and Redevelopment Division

- Following public comment and agency reviews, the Peconic Estuary Partnership's Comprehensive Conservation & Management Plan (CCMP) will be final.
(WD A. Boucher, A. Sexton-Sims)
- Submission of Regional Applied Research Effort (RARE) proposals to the Office of Science Advisor, Policy and Engagement (LSASD – Mindy Pensak).

AIR AND RADIATION DIVISION

Hot Issues:

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION

Past Week:

Pre-filing Letter sent to Suite K Value Added Services LLC: On July 9, 2020 a pre-filing letter was emailed to Suite-K as an invitation to settle the ongoing matter regarding an unregistered pesticide with unsupported antimicrobial claims: PlaneAire Travel Mist. Suite-K is the contract manufacturer EverywhereAire uses to produce the PlaneAire Travel Mist. On June 22, 2020 a pre-filing letter was emailed to EverywhereAire as an invitation to settle this matter. Dates for each settlement conference have not yet been set but are expected to occur in July.

Newly Issued Pesticide Establishments:

Life Is Great LLC - A new establishment number was issued on July 2, 2020 to Life Is Great LLC of New York, NY. ECAD staff was in contact with Franklin Reitzas, an NYU student, in June who imported UVC devices from China to resell. Mr. Reitzas has applied for an establishment number for Life is Great LLC.

Galazon LLC – A new establishment number was issued on July 7, 2020 to Galazon LLC of West Henrietta, NY. ECAD initially received an incorrect establishment application for Galazon wherein they used the

company number for the Chinese manufacturer. Upon discussion with Galazon, it was uncovered that Galazon had imported UV wands that were not made in an EPA registered establishment at the time of import. Galazon stated they needed the EPA establishment number in order to sell the wands on Amazon. Galazon's website offers for sale a UV wand, and ECAD staff explained these wands cannot be relabeled in a domestic establishment number. Galazon stated they would still like to be issued an establishment number. An Advisory Letter was also issued to Galazon on July 7, 2020 (See Advisory Letter Update Table below).

BioBlasting LLC - A new establishment number was issued on July 8, 2020 to BioBlasting LLC of Egg Harbor Township, NJ. ECAD staff asked about the nature of the business last week and was told the company is making a registered hypochlorous acid pesticide. BioBlast mentioned they are seeking a label change "to feature a much extended shelf life for the disinfectant – from 30 days to 6 months (although shelf life efficacy can be shown from 1 – 2 years), as well as labelling for SARS-CoV-2 Emerging Pathogen, the novel coronavirus that causes COVID-19." ECAD staff stated that they have only seen these extended residual claims on products that are not disinfectants and the allowable claims are not public health claims. ECAD followed up with an email providing general information on pesticides including the link to EPA's List N, import information, the link to information on supplemental distribution, and EPA's compliance advisory on pesticides and Coronavirus.

Proteck Products Corporation - A new establishment number was issued on July 8, 2020 to Proteck Products Corporation of Carlstadt, NJ. ECAD staff asked about the nature of the business last week and the company said, "We are working with a company called Danolyte Global to package and sell hypochlorous acid for disinfectant purposes. It is related to the coronavirus pandemic." ECAD followed up with an email providing general information on pesticides, the link to EPA's List N, import information, the link to information on supplemental distribution, and EPA's compliance advisory on pesticides and Coronavirus.

Kync Design LLC - A new establishment number was issued on July 8, 2020 to Kync Design LLC of Secaucus, NJ. ECAD staff asked about the nature of the business and the company said they are planning to import surface disinfectant wipes and liquids. The Secaucus facility will be used as a relabeling or repackaging facility in case a need arises. ECAD staff provided information on imports and EPA's compliance advisory on pesticides and Coronavirus.

Raw Color MFG LLC - A new establishment number was issued on July 8, 2020 to Raw Color MFG LLC of Fairview, NJ. ECAD staff asked about the nature of the business and the company said they are changing their manufacturing facility from making nail polish to sanitizers and surface disinfectants. Raw Color MFG LLC mentioned alcohol-based disinfectants and "Hypochlorous Acid based disinfectant that's safe for Humans and Animals(edible) that kills viruses in 30 second." ECAD staff provided information on imports, EPA's compliance advisory on pesticides and Coronavirus, and stated ECAD staff was not aware of any hypochlorous acid pesticide that is approved for use to be sprayed or misted on humans.

FIFRA Advisory Letter to Galazon LLC: A FIFRA Advisory Letter was issued to Galazon LLC of West Henrietta, NY on July 7, 2020 for importing pesticide devices (UV wands) that were not made in an EPA registered establishment and for not filing a Notice of Arrival. On July 8, 2020, ECAD staff found the UV Wand being offered for sale on Amazon through a link on Galazon's website. ECAD staff had emailed Galazon on July 2, 2020 and stated the products were not legal to be sold in the US since they were not produced in an EPA registered establishment. ECAD staff emailed Galazon on July 8, 2020 to ask why the product was being offered for sale on Amazon and emailed EPA R9 separately to add this product to

their Amazon SSURO list. Galazon LLC has 7 days to respond from the date the Advisory Letter was received.

FIFRA Advisory Letter to One Home Brands (DBA Blueland): A FIFRA Notice of Warning was issued to Blueland of New York, NY on July 7, 2020 for offering for sale and distribution of unregistered disinfectants and antimicrobial products on their website. EPA observed claims like, “No Germs,” “These tiny soap and cleaning tablets can wash away viruses and bacteria,” and “Blueland hand soap and cleaners are effective at removing bacteria and viruses from your skin and home surfaces.” Blueland has 7 days to respond.

FIFRA Notice of Warning to Scully’s Wonderful Stuff Inc.: A FIFRA Notice of Warning (NOW) was issued to Scully’s Wonderful Stuff Inc. (Scully’s) of Brooklyn, NY on July 7, 2020 for selling a hand sanitizer product, “Hand Sanity” that made surface disinfection claims. ECAD had issued an Advisory Letter to Scully’s on May 27, 2020 and on June 2, 2020 Scully’s responded with the actions taken to come into compliance. The NOW does not require a response by Scully’s.

Referral to FDA: On July 8, 2020 ECAD staff emailed the FDA email box for hand sanitizers with the Advisory Letter and Notice of Warning to Scully’s Wonderful Stuff Inc. because hand sanitizers are regulated by the FDA.

Electrolux Case Review: On July 6, 2020, ECAD staff completed a review of all imports of unregistered pesticides (antimicrobial filters in dehumidifiers and air conditioners) through Region 2 ports by Electrolux since January 2020 on behalf of OECA who is leading this case which has affected multiple regions. ECAD staff supplied and verified information on 309 individual shipments, including arrival date, model numbers, number of units, and the submission and completeness of Notices of Arrival of Pesticides.

FIFRA Notice of Warning & Notice of Detention to JMD All Star Impex: On July 7, 2020, a FIFRA Notice of Warning & Notice of Detention and Hearing (NOWD) was issued to JMD All Star Impex Inc. of Piscataway, NJ for importing unregistered pesticides. The products are disinfecting wipes which listed toys, mobile phones, and furniture as potential use sites. The NOD gives the company 20 days to provide explanation for why the product should not be exported. Since sending the notice, ECAD has provided information on FIFRA regulations to the importer.

FIFRA Notices of Detention to Aldo US Inc: On July 9, 2020, eight FIFRA Notices of Detention and Hearing (NOD) were issued to Aldo US Inc. of Wilmington, DE for importing misbranded disinfectants. There are two products, Lysol Disinfecting Wipes and ES15 Disinfectant Cleaner, which the importer claims are EPA registered pesticides but whose labels do not have the EPA registration numbers or other required language. The Notices give Aldo 20 days to explain why they believe the items should be allowed into the United States.

Regional Administrator’s Pending Action Items: N/A

Subject	Date Sent to RA’s Office	Required By/Due Date	Comments
Chemprene CA/FO	6/9/20		
Chroma Color CA/FO	6/11/20		

Other Items of Interest: N/A

LABORATORY SERVICES AND APPLIED SCIENCE DIVISION

Hot Issues:

Upcoming:

Citizen Science: The 2020 Water Monitoring Equipment Loan Program has had to adjust to the current COVID situation. SUNY University at Buffalo and Shinnecock Nation were each granted extensions of their 2019 loans through the 2020 season. Eight more NGOs were chosen to receive equipment this year, but four have had to postpone to 2021 and one is still deciding on their (student-oriented) work due to the pandemic. Two NGOs – Clean Ocean Action & NY/NJ Baykeeper – will receive their equipment on July 16th through contactless drop-offs by the Citizen Science Coordinator. The remaining NGO, Central Pine Barrens Commission, will be shipped their equipment in August and receive virtual training before beginning their work in September. (POC: R. Leta-Graham)

Region 2 Laboratory Branch Projects: The Laboratory will receive samples next week for the following projects:

Superfund Program:

Cornell Dublier Electronics

Garfield GW Contamination

(POC: J. Bourbon)

HWSB-SST Superfund Sampling Projects – Currently Suspended:

Pierson's Creek groundwater sampling,
Kearny

TBD

Vineland Chemical surface water/sediment sampling,
Vineland

TBD

Pioneer Metal Finishing groundwater sampling, NJ	TBD	
Zschiegner groundwater sampling, Howell, NJ		TBD
Waldick Aerospace groundwater sampling, Wall, NJ	TBD	
Imperial Oil groundwater sampling, Morganville, NJ	TBD	
Smithtown groundwater sampling, Smithtown, NY	TBD	
Syncon Resins groundwater sampling, Kearny, NJ	TBD	
Robintech-Passive bag deployment, Vestal, NY	TBD	
Olean/Loohn's Dry Cleaners groundwater sampling, Olean, NY	TBD	
Hopewell Precision water/VI sampling, Hopewell, NY	TBD	
Arsenic Mines sampling, Kent, NY	TBD	
Lightman Drum groundwater sampling, Winslow, NJ	TBD	
(POC: A. Jackson)		

HWSB-HWSS - Data Validation Projects Scheduled:

Lawrence Aviation, Port Jefferson Station, NY

Emmell's Septic Landfill, Galloway Township, NJ

Sherwin Williams/Hilliard Creeks, Camden, NJ

Combi Fill South Landfill, Chester Township, NJ

Fried Industries, East Brunswick Township, NJ

(POC: Narendra Kumar)

Past Week:

PFAS Innovative Treatment Team: ORD researchers provided an overview of their initiative for the planned emissions testing at the Covanta Municipal Incinerator in Union County, NJ to the Region and NJDEP. Objectives of this research include the characterization of products of incomplete combustion; residuals characterization; surrogacy testing along with Covanta and ORD responsibilities. (POC: M. Pensak)

Multi-Criteria Decision Analysis: ORD, the R2 RSL and Regions 2, 7 & 10 STLs participated in a meeting to better understand the proposed weighting of criteria and the selection of Superfund remedies identified in a draft fact sheet developed by ORD entitled, *Supporting Superfund Remedial Response Process with Decision Analysis: A Remedial Alternatives Prioritization Case Study*. (POC: M. Pensak)

2020 Scientific Integrity (SI) FMFIA Certification: The Region 2 Scientific Integrity (SI) Manager completed and submitted the Region's 2020 SI certification electronically, responding to five queries including SI implementation activities completed. The Region must submit a brief, high-level discussion of our efforts to ensure SI in FY20 to the Office of the Science Advisor for review and assessment by EPA's SI Committee. In addition, compliance with EPA's SI Policy must be certified in the Region's annual Federal Managers' Financial Integrity Act (FMFIA) Assurance Letter. (POC: L. Mael)

DRAFT QA National Term and Condition Focus Group: On July 13 & 14, 2020, the OMS Enterprise Quality Management Division (EQMD) hosted two focus groups consisting of representatives from the Regions, National Program Offices including OGD and OGC, states and tribes. The purpose of these focus groups was to receive feedback on the DRAFT QA National Term and Condition and to come to consensus on a DRAFT final version that will be sent to the OMS senior leadership for review and approval. The Region 2 RQAM and GAMB Chief reviewed and submitted comments on the draft National QA Term and Condition (T&C) as requested pre-work, then participated in the July 14 focus group. (POC: L. Mael)

NJDEP Departmental SFY'21-25 Quality Management Plan (QMP): The NJDEP SFY 2021-2025 QMP, signed June 30, 2020 by the NJDEP Commissioner, and by the Assistant Commissioners, was received and acknowledged by the EPA Region 2 Quality Assurance (QA) Manager (RQAM). On April 6, 2020, the EPA RQAM and the NJDEP Office of Quality Assurance (OQA) QA Manager (QAM) approved the QMP, which became effective July 1, 2020. (POC: L. Mael)

NJDEP's SFY 2017-2019 Performance Partnership Agreement (PPA) Draft 2019 Progress Report - OQA Section: The RQAM reviewed the Office of Quality Assurance (OQA) commitments in the NJDEP's SFY 2017-2019 PPA draft 2019 progress report. The RQAM added comments to each commitment noting the activities conducted during that time frame and acknowledged that the OQA satisfactorily accomplished the agreed-upon outputs and outcomes in the PPA. (POC – L. Maue)

American Cyanamid: SST reviewed the Draft Surface Water/Sediment Annual Monitoring Report for the American Cyanamid site located in Bridgewater Township, NJ. This report provides a summary of surface water and sediment sampling data from the Raritan River, Cuckel's Brook, and other tributaries of the river. These data allow for an evaluation of any potential impacts of the site to these waterbodies as well as baseline monitoring information for comparison with post-remedial conditions. (POC: M. Clemetson)

2019-2020 PRDNER AQA CAA Section 103 PM2.5 Semi-Annual QA Progress Report: AWQAT received the 2019-2020 PRDNER AQA CAA Section 103 PM2.5 semi-annual QA progress report for the period between October 1, 2019 to March 31, 2020 for review. This report summarizes the QA/QC activities and outputs for this reporting period as part of the tasks required in the CAA Section 103 PM2.5 work plan. (POC: S. Rao)

Clean Waters Transfer: MOS maritime personnel continue to communicate with the successful bidder for the Clean Waters for the bidder to remove the vessel. The bidder is having difficulty finding a port to transfer the vessel to. MOS personnel continued working daily with maritime instructors. A MOS employee requested entry to building 238 and was able to conduct maintenance on the Freightliner and electrofishing vessel. (POC: N. Johansen)

St. Lawrence River Area of Concern (AOC) at Massena/Akwesasne Shoreline Assessment QAPP: The QAPP was approved by EPA on July 7, 2020. This project plans to document shoreline locations within the St. Lawrence River region of the AOC that exhibit an eroded condition. These degraded shoreline locations within this region of the AOC will be delineated and prioritized to identify locations best suited for future fish and wildlife habitat restoration. The project plans to use some data generated as part of earlier QAPP projects approved in 2017 as well as gather new data using unmanned aerial vehicle imagery and associated data analysis. (POC: S. Rao)

Webinar on Iron, Manganese, and Hydrogen Sulfide in Wells: The occurrence of these contaminants is common in private drinking water systems. The webinar outlined methods for sampling, testing, and treatment of contaminated drinking water. (POC: B. Morrell)

Continuous Learning Webinar Participation: Advancements in Wastewater Monitoring for Community Spread Detection" Rapid COVID19 Community Spread Detection; NEWMOA's Definition of Solid Waste under RCRA; NETI's Discharge Monitoring Reports – Avoiding Common Mistakes; Materials Management Wizard – for use during disasters; SARS-CoV-2 in Indoor Air: Principles and Scenarios; Urban Forests – Rx for Hot Cities; and Harmful Algal Blooms. (POC: K. Foley)

Stormwater Violation Follow-Up: Photo-documentation was provided to ECAD-WCB for additional follow-up on an enforcement case in a central New Jersey homebuilder's community. (POC: K. Foley)

Drinking Water Laboratory Certification Program: On July 14th, the Office of Ground Water and Drinking Water (OGWDW) and Regional Laboratory Certification Officers (LCO) had their bi-weekly meeting. OGWDW has postponed the EPA September 2020 DW Training Courses for Chemistry and Microbiology due to building access issues and rescheduled the courses to March 2021. OGWDW will internally discuss how to offer the courses online. (POC – E. Smieszek)

HWSB-HWSS - Superfund/Brownfield QAPPs & Documents Received:

BF – QAPP (Rev.4) for Former Duofold Facility, Ilion, NY

(POC: D. Ringel)

HWSB-HWSS - Superfund/Brownfield QAPPs & Documents Completed:

BF – SAP for Former Hospital/Courthouse, Naranjito, PR

SF – Matlack PDI Addendum

(POC: D. Ringel)

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>

Other Items of Interest:

LAND, CHEMICALS AND REDEVELOPMENT DIVISION

Non-Responsive - Land, Chemicals, and Redevelopment Division

Non-Responsive - Land, Chemicals, and Redevelopment Division

MISSION SUPPORT DIVISION

Non-Responsive - Mission Support Division

Non-Responsive - Mission Support Division

Non-Responsive - Mission Support Division

Non-Responsive - Mission Support Division

OFFICE OF REGIONAL COUNSEL

Past Week:

Adverse Decision by DC Circuit in Lawsuit concerning NY's CAA Section 126 Petition

On July 14, 2020, the U.S. Court of Appeals for the DC Circuit issued a decision vacating and remanding EPA's denial of a petition the State of New York had submitted to EPA under section 126(b) of the Clean Air Act (CAA). The petition had asked EPA to find that power-generating and other facilities in nine different states were violating the "Good Neighbor Provision" of the CAA by producing emissions that contributed significantly to New York's difficulty attaining or maintaining compliance with the 2008 and 2015 National Ambient Air Quality Standards for ozone. EPA Headquarters denied the state's petition in 2019 and New York then sought review in the DC Circuit. In its July 14th decision, the court said, in brief, "The EPA offered insufficient reasoning for the convoluted and seemingly unworkable showing it demanded of New York's petition. In addition, the EPA's finding that New York did not have an air quality problem under the 2008 National Ambient Air Quality Standards for ozone relied on two faulty interpretations of the Clean Air Act that have since been invalidated."

[CONFIDENTIAL ITEM:]

Village of Rockville Centre Signs CAA Consent Judgment

On July 7, 2020, the Village of Rockville Centre, located in Nassau County, NY, executed a consent judgment with the U.S., which would resolve alleged violations of the Clean Air Act (CAA), its implementing regulations, and the New York State Implementation Plan requirements related to particulate matter (PM) and nitrogen oxides (NO_x). The settlement was approved by the Regional Administrator earlier this year and will now be signed by the Regional Counsel and circulated for approvals within the U.S. Attorney's Office and the Environment & Natural Resources Division of DOJ. The alleged violations occurred at Rockville Centre's 33-megawatt municipal power plant. EPA alleges that Rockville Centre exceeded the permissible emission limits for PM and NO_x. The consent judgment calls for the Village to permanently retire three existing engines; operate three other engines in dual-fuel mode, two of which shall be reclassified as emergency, stationary, reciprocating internal combustion engines; reclassify and retain emergency-only engine status for two other engines; upgrade its electrical substations to increase power import capacity to those substations from 45 to 55 MW;

install a NO_x continuous emissions monitoring system on all non-emergency engines; achieve interim and final NO_x emissions limits during steady-state operations; follow an order of engine operation to ensure reduction of NO_x emissions; and perform engine tune-ups, among other things. In addition, the settlement requires Rockville Centre to pay a \$110,000 civil penalty to the United States.

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/ Due Date</u>	<u>Comments</u>
Proposed letter to VI Governor re: solid waste disposal crisis in USVI	6/11/20		
Proposed note to Doug Benevento, Peter Wright and other HQ officials re: solid waste disposal crisis in USVI	6/18/20		
Draft letter to Stella Martin	12/23/19		

PUBLIC AFFAIRS OFFICE

Hot Issues:

PAO is coordinating with SEMD on a number of news releases for proposed plans at Superfund sites, including coordinating news releases and virtual public meetings.

News Releases:

July 14: [EPA Proposes Cleanup Plan to Address PCB Contamination at the Unimatic Superfund Site in Fairfield, N.J.](#)

Upcoming News Releases:

- Riverside Park Superfund Site Proposed Plan
- Pesticides Warehouse Superfund Site Proposed Plan
- Imperial Oil Superfund Site Proposed Plan

- Hormigas Superfund Site deletion
- FMC Dublin Superfund Site deletion

Upcoming Community Meetings:

- Newtown Creek CAG meeting, July 15
- Hoosick Falls CPWG, July 22
- Unimatic Virtual Public Meeting, July 23
- Gowanus CAG Meeting, July 28
- Riverside Industrial Virtual Public Meeting, August 5

Past Week:

Diamond Alkali and Riverside Industrial Park

On July 9, EPA participated in the Passaic River CAG meeting to discuss the schedule of the lower 8 miles 95% remedial design, which was supposed to be due August 2020 but will now be due in May 2021. The CAG also discussed the upper 9 miles interim actions, including the feasibility study and the difference between all the cleanup alternatives, as well as the project schedule and information on the upcoming CSTAG meeting. EPA also presented on Riverside Industrial Park's proposed plan and upcoming public meeting. Liz Balladares, ambassador from the Lower Passaic River Urban Waters Federal Partnership spoke about how the CAG and the Urban Waters Federal Partnership could team up to reach out to unresponsive landowners to increase their level of engagement. 52 attendees participated in the CAG meeting. The next meeting is scheduled for September. (POC: Shereen Kandil)

Unimatic

The Unimatic Proposed Plan has been approved and will be released on July 14. The public comment period will begin July 14 and end August 12. The virtual public meeting will still be scheduled on July 23. (POC: Donette Samuel)

Sherwin Williams

The weekly internal meeting was held on July 7. The latest COVID fact sheet was shared with SW related to the next 4 residential properties in Voorhees. The tentative start work date is August 3. (POC: Pat Seppi)

Pohatcong

The weekly internal meeting was held on July 7. The restart of interior work was approved and is planned to start on July 13 at the rate of 2 properties per day. These are properties who need the indoor connection to hook up their water lines. The schedule is filling up rapidly and most residents were not concerned about us being inside their homes. There was an O&M meeting on July 8 to discuss how Rio Tinto plans to address the sampling of the 30 outlier properties which should start in the fall. (POC: Pat Seppi)

Ringwood Mines

EPA CIC received a call at 6pm on Thursday, July 9 from Judy Sullivan who stated she heard a plane had crashed into the Ringwood Mine, that there was a fire, and residents were very distressed and

anxious. The CIC immediately reached out to some contacts who knew there was a fire but did not have details then. Later that evening, the CIC received a video from a CAG member that did show the brush fire but not on site. On Friday morning, the RPM found out the wires in the utility right of way had arched due to a faulty insulator and started a brush fire in the right of way. The Forest Fire Service, a part of NJDEP, responded and put out the fire. It did not reach the site at any time. The Borough was also on site. (POC: Pat Seppi)

Superfund Site Profile Page Redesign – Documents Team

Region 2 is co-leading national workgroup tasked with re-vamping the way documents are presented on Superfund site profile webpages across the nation. The creation of this team is a result of a national survey that went out to Regions regarding the usability of SPPs. On July 9, ICAB staff participated on a kick-off call and discussed two potential options for presenting documents. The next team meeting is July 16. (POC: Carsen Mata)

Upcoming:

Onondaga Lake (Lower Ley Creek subsite): EPA is working on developing a communications strategy for the Lower Ley Creek subsite and Ley Creek Deferred Media portion of the General Motors – Inland Fisher Guide subsite of the Onondaga Lake Superfund site to develop systematic communications with local residential, commercial, and industrial entities, as well as elected officials, through consistent engagement to support EPA's design and remedial action activities. (POC: Larisa Romanowski)

Tonawanda Coke

EPA has received an invitation from Erie County Legislator Kevin Hardwick the Chair of the Government Affairs Committee to attend a meeting of the Government Affairs Committee meeting on Thursday, July 16, 2020 at 10 am so that the legislature and the public can receive updates and a status report on the remediation at the former Tonawanda Coke Corporation, Tonawanda, NY. EPA will join the NYSDEC and Town of Tonawanda representatives, the new owners of the property and members of the Western New York Clean Air Coalition. (POC: Mike Basile)

GM Massena

Work resumed at the GM site on June 1. The 2020 work includes site grading, groundwater treatment system construction and site maintenance. The outreach associated with the FYR is anticipated for the week of July 13 or July 20. (POC: Larisa Romanowski)

Hoosick Falls

EPA previously received an email request for EPA participation in the July 22 CPWG meeting to discuss the following topics 1) EPA final rule incorporating 172 PFAS to the Toxic Release Inventory by the National Defense Authorization Act, 2) Launch of PFAS Innovative Treatment Team (PITT) and what it might mean for Hoosick residents. Tim Watkins from ORD will discuss the PITT and David Turk, Branch Chief for the Regulatory Development Branch of the TRI Program Division will discuss the TRI at the July 22 weekend. (POC: Larisa Romanowski)

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's</u>	<u>Required By/Due Date</u>	<u>Comments</u>
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	<u>Office</u>		
Kiryas Joel – RA to share letter sent to NYSDEC with Orange County attorney, Langdon Chapman	3/9/2020		Mary shared WD draft
Draft email to Joe Brazauskas re: Vieques/GAO Audit	6/23	ASAP	Email from Sabina 6/23
Email response to Bob Spiegel re: American Cyanamid	7/14	ASAP	Email from Sabina 7/14
Response to Asm. Galef re: Arsenic Mine	7/15	ASAP	Email from Sabina 7/15

Title	Start Time	End Time	City	State	Description	Division	Event Type
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Brownfields and Opportunity Zones: A Webinar for Municipalities and Community Partners in New Jersey (Region 2 HUD, EPA and NJDEP)	7/16/2020 11:00	7/16/2020 12:00	New York	New York	<p>WEBINAR: This event will provide participants with overviews of: (i) efforts to- date by the White House Opportunity and Revitalization Council, (ii) federal/state brownfield programs, (iii) leveraging EPA programs in OZs and (iv) highlighting recent case studies/community examples. Presentations to be given by EPA (R2 and HQ-OBLR). This webinar is a direct result of a request from participants following HUD's OZ event held in Trenton NJ in March 2020. We anticipate HUD R2 Administrator, Lynne Patton, to provide brief remarks on 7/16.</p>	LCRD-LRPB-BS	Meeting
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Northeast Waste Management Officials' Association - EPA's Presentation on RCRA Air Emissions Violation	7/21/2020 10:00	7/21/2020 11:30	NA	New York	WEBINAR: ORC and ECAD are developing a presentation on the Aladdin Packaging LLC case which was recently settled. The presentation will be delivered on July 21 via webinar hosted by Northeast Waste Management Officials' Association (NEWMOA), an organization with member states from New England states, NY, NJ and EPA. During the Covid pandemic, NEWMOA has been hosting RCRA hazardous waste training webinars for its members. Our presentation will focus on RCRA air emission violations found at Aladdin Packaging facility, a commercial printer on Long Island, and will cover the inspection, negotiations, communications with EPA HQs and settlement.	ECAD;ORC	Meeting
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2020 Northeast Sustainable Communities Workshop – Brownfield Coalition of the Northeast (BCONE)	7/21/2020 0 8:30	7/22/2020 0 17:00	New York	New York	VIRTUAL CONFERENCE: The Brownfields Coalition of the Northeast (BCONE) will be holding its 2020 Northeast Sustainable Communities Workshop (NSCW) via a virtual conference. The conference will take place on July 21st and July 22nd. The event offers keynotes and workshops presented by leading experts and government officials on the issues that are impacting the brownfields industry during these unprecedented times. Participants can communicate with top industry vendors, and network with stakeholders in brownfields redevelopment within the northeast. Keynote speakers include Tim Sullivan, Executive Director of the New Jersey Economic Development	LCRD- LRPB-BS	Training/Workshop
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					Authority. EPA Brownfields staff member Schenine Mitchell will be participating on a Women in Brownfields panel moderated by Ann Carroll of OBLR. (Schenine Mitchell, x3283)		
Saint Gobain Community Working Group Meeting	7/22/2020 0 0:00	7/22/2020 0 0:00	Hoosick Falls	New York	Virtual monthly meeting	SEMD	Meeting
Gowanus Canal CAG Meeting	7/28/2020 0 0:00	7/28/2020 0 0:00	Brooklyn	New York	Virtual monthly CAG meeting.	SEMD	Meeting
Naval Weapons Stations Earle Public Meeting	8/5/2020 0:00	8/5/2020 0:00	Colts Neck	New Jersey	Virtual public meeting for OU12 – Site41 proposed plan.	SEMD	Public Meeting
Probable Braddock Bay Press Event	8/13/2020 0 0:00	8/13/2020 0 0:00	Greece	New York	Corps/EPA planned press event regarding restoration of Braddock Bay barrier wall and its positive impact on Rochester Area of Concern	PAO;WD	Press Event

SUPERFUND AND EMERGENCY MANAGEMENT DIVISION

Hot Issues:

Upcoming:

Riverside Industrial Park: The Proposed Plan is scheduled to be released on July 22, with a virtual public meeting to be held on August 5.

Past Week:

Picatinny Arsenal: A public meeting was held on 7/9 to public notice the Mortar and Skeet Range proposed plan. The public comment period will be open for 30 days.

Other Items of Special Interest:

JBMDL- Dix - Landfill 010 ESD:

Exemption 5: Attorney/Client Communication

The AF indicated that they will pursue the matter in a technical memo rather than an ESD, but implied that some of the compounds proposed in the draft ESD will be omitted. EPA will monitor the progress, but there is no additional follow up for the EPA.

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>
Dewey Loeffel - Candidate Tech Memo Wrap up Summary to CAG	5/28	6/10/20	
Dewey Loeffel – field update to town	6/30	ASAP	Includes notification of postponement of sampling at 2 wells without exterior spigots.
Note to OLEM & OW re: RESES research work with R3, ORD, NJ & NY	6/23/20	-	
Controlled correspondence from resident re: Quanta	6/24/20	-	Inquiry re: redevelopment status of the property
Review and send email/factsheet re: cost share issues to P. Wright for Tutu Wellfield	6/20/20	ASAP	
Response to Commissioner Sapienza's 7/6 email regarding COVID-19 impacts the Gowanus Canal site schedule	7/9/20	ASAP *	

STRATEGIC PROGRAM OFFICE

COMMUNITY REVITALIZATION / ENVIRONMENTAL JUSTICE SMART SECTORS / CHILDREN'S ENVIRONMENTAL HEALTH

COMMUNITY REVITALIZATION

Past Week:

Region 2 Lead Action Plan:

The Region 2 Lead Team completed input to the regional tracking tool on lead actions. Strategic Programs compiled the first quarterly monitoring report, which is due to the Administrator's Office by July 17. The Regional Administrator was briefed on the quarterly report on July 14.

ENVIRONMENTAL JUSTICE

Past Week:

On July 9, the Regional Administrator sent a request to the Senior Leadership Team requesting nominations to the Region 2 EJ Work Group. A senior management advisory council will champion the efforts of the Region 2 EJ Work Group.

Region 2 EJ Work Group Activities will encompass the following areas:

- Collection and reporting of divisional EJ actions and accomplishments
- Collaborating with divisional management on EJ integration issues, ideas, and best practices
- Advising the Regional EJ Coordinator on EJ integration measures, and
- Conducting outreach on EJ matters internally to division staff and management

Nominations should be emailed to Towana Joseph, with a copy to David Kluesner and Ameesha Mehta-Sampath by July 31.

Upcoming:

NEJAC

On July 8, David Kluesner, Towana Joseph, Ameesha Mehta-Sampath held a follow-up call on action items developed from the February 2020 OEJ/NEJAC meeting held in Jacksonville, Florida. Strategic Programs will be reaching out to the co-chair of RISE to discuss specific action items, as well as the OEJ/NEJAC proposal to hold one of the 2021 public meetings of the NEJAC in Puerto Rico.

AGRICULTURE

Non-Responsive - Strategic Program Office -
Agriculture

Non-Responsive - Strategic Program Office - Agriculture

DISASTER RECOVERY AND MITIGATION

Non-Responsive - Strategic Program Office - Disaster Recovery
and Mitigation

Non-Responsive - Strategic Program Office - Disaster Recovery
and Mitigation

TRIBAL PROGRAM

Non-Responsive - Strategic Program Office - Tribal Program

Non-Responsive - Strategic Program Office - Tribal Program

ENVIRONMENTAL REVIEWS

Past Week:

Levine Reservoir Water Storage Improvement Project Memorandum of Agreement (MOA)

Since the MOA was fully executed on July 2, Passaic Valley Water Commission (PVWC) is working on establishing dates to submit the various draft work plans under the MOA Stipulations. These submittal dates need to be agreed upon between PVWC, EPA and the New Jersey State Historic Preservation Office (NJSHPO) within the next 30 days, ending August 3rd. A meeting is scheduled between PVWC and Strategic Program's Environmental Review Team to discuss this planning and as a way to kick off this project. NJSHPO personnel are unable to attend due to being furloughed. However, they are expected back in the last week of July when EPA plans on bringing them up to speed.

Springville Dam, Concord, NY

ERT received a notice of a preliminary permit application from the Federal Energy Regulatory Commission for a new hydroelectric facility at the Springville Dam on Cattaraugus Creek in Erie County, NY. The use of the dam for hydro is problematic, as the Corps, NYSDEC, the Seneca Nation and others have been working on a restoration plan for the dam and Cattaraugus Creek under the Great Lakes Fisheries Restoration Program for several years. EPA's letter requested that FERC discuss the restoration effort prior to awarding a preliminary permit. The Corps and R5's Great Lakes National Program Office have received a copy of R2's letter.

Brookhaven Rail Terminal

ERT has responded to a letter to the Administrator from the Surface Transportation Board requesting environmental information for the permitting of an additional rail line and solid waste rail transfer facility adjacent to the existing Brookhaven Rail Terminal in Yaphank, NY. Lingard Knutson has prepared a scoping letter, including a request that the environmental document discuss the purpose and need for the project, groundwater impacts, environmental justice and a general conformity applicability analysis.

Flood Risk Management studies for Rio Guanilla and Rio Culebrinas, PR

ERT reviewed and provided comments for the proposed flood risk management studies for Rio Culebrinas at Aguadilla and Aguada, and the Rio Guayanilla, Puerto Rico. Regarding Rio Culebrinas, the U.S. Army Corps of Engineers, Jacksonville District (Corps) conducted an Environmental Assessment (EA). The Corps assessed the effects of the proposed action in the EA, dated June 2004, for the Rio Culebrinas Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Study at Aguada and Aguadilla in Puerto Rico. The proposed project consists of the construction of two segments of earthen levees, a short cutoff channel, drainage structures, interior drainage channels, and three paved road ramps across the levees to reduce flood damage to the southwest portion of Aguadilla and the community of Espinar in Aguada.

Regarding Rio Guayanilla, the Rio Guayanilla drains approximately 96 square kilometers into the Guayanilla Bay which opens to the Caribbean Sea. There have been 10 major floods in the last 25 years, and most recently in September 2017 during Hurricane Maria. The overbank flooding impacts more than 1100 homes, businesses, industry, and utilities with estimated damages to be \$2.5 million as stated in the U.S. Army Corps of Engineers 1990 Reconnaissance Report. That report, a preliminary analysis of possible solutions to flooding problems, considered five structural alternatives, and concluded that a system of levees, channel improvements, diversion channel, and bridge reconstruction could reduce the flood risk for the community. We sent comments for Rio Guayanilla last week and have now sent final comments for Rio Culebrinas this week.

INTERNATIONAL

Non-Responsive - Strategic Program Office - International

REGIONAL ADMINISTRATOR'S PENDING ACTION ITEMS

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>
Sierra Club – NJ Chapter: Concerns over NJ's Highway Capital Plan	July 10	July 24	
Tortola Pockwood Pond BVI-USVI matter – email from the RA to OITA, OAR, OLEM AAs	July 10	July 24	

OTHER ITEMS OF INTEREST

Strategic programs began training the PAO-media relations branch ELMS process. The process will focus on special events. When complete, ORA will have reached 80% of staff trained.

WATER DIVISION

Hot Issues:

Prasinos UIC Class V Draft Permit Update: On 7/10/2020, the public comment period ended for EPA's draft UIC permit for an experimental technology Class V injection well. In total, EPA received 4 public comments (1 from Prasinos and 3 from private citizens). In addition, EPA received a FOIA request from 1 of the private citizens who commented. WD will be responding to comments and will likely pursue finalizing the permit without modifications for additives and the increased maximum injection volume (which were requested by Prasinos since posting the draft permit). After issuance, Prasinos would be permitted to conduct their initial work and then can submit a request for a permit modification to incorporate these additional modifications. On 7/14/2020, DWGWPS spoke with again with DEC's Division of Mineral who is supportive of EPA's approach, including the potential addition of additives in a Permit Modification with the disclosure of these chemicals to DEC. (POC: C. Hillenbrand)

Upcoming:

Long Island Sound Management Committee: The Long Island Sound Study Management Committee will meet remotely on July 23. The Committee will review the final evaluation of progress in implementing the 2015 Comprehensive Conservation and Management Plan and process and schedule for preparing a summary report to submit to Congress, and the initial complete list of implementation actions proposed for the five-year action plan 2020 CCMP Update. The 2020-2024 implementation action plan update needs to be completed by the end of the calendar year. (POC: M. Tedesco)

Past Week:

Wetlands Program meeting with NJDEP: On July 6, the Wetlands Protection Section met with New Jersey Department of Environmental Protection, including Acting Assistant Commissioner of Land Use Management Vincent Mazzei. Discussion focused on federal rulemaking, including the finalized Navigable Waters Protection Rule and the CWA Section 401 Certification Rule, and their possible impact on NJ's assumed CWA 404 program. After discussion, agencies agreed that the finalized rules would not affect the assumed program and force NJ to open up its state rules for revision. NJ is currently brainstorming wetland rule changes to satisfy the Governor's directive to update environmental rules to combat climate change. (POC: M. Finocchiaro)

NYSDEC Requests Meeting with EPA Concerning NY's Watershed Implementation Plan (WIP)

Shortfalls: As previously reported, EPA initially received two notices of intent (NOIs) to sue, one from the Chesapeake Bay Foundation and other stakeholders, and the other from Maryland, Virginia and the District of Columbia. A third NOI was submitted by Delaware two days later. The NOIs state that EPA failed to carry out its non-discretionary duty under Section 117(g) of the Clean Water Act, to ensure that

New York and Pennsylvania develop a management plan (Phase III WIP) to achieve and maintain the nutrient goals of the Chesapeake Bay Agreement. On July 1, the EPA Region 3 Regional Administrator received an email from the NYSDEC Deputy Commissioner, Jim Tierney, requesting a joint discussion with both EPA Regions and the Chesapeake Bay Office on a technical proposal concerning New York's nutrient targets. We anticipate the proposal will address NY's WIP shortfalls and propose additional strategies to reach the 2025 nutrient targets in the Chesapeake Bay Agreement. (POC: M. Lambrix)

Other Items of Special Interest:

Long Island Sound Integrated Modeling: The New York City Department of Environmental Protection (NYCDEP) has reported that the contract for the systemwide integrated water quality and hydrodynamic modeling effort has now been approved by the NYC Office of Management and Budget. Because of COVID's impact on the City budget, NYCDEP had to complete for OMB a cash-flow analysis of any contract above \$100,000, so this was a significant step. The City is now ready to send the contract to the consultant for its signature. It then goes to the Mayor's Office of Contracts for Registration and posting for a public hearing (required of all contracts). We fully expect work to begin in September. (POC: M. Tedesco)

Seneca Nation of Indians (SNI) and the Pennsylvania 303d List of Impaired Waters: Pennsylvania posted its public notice on June 27, 2020 inviting interested persons to submit written comments through Tuesday, August 11, 2020 on its draft 2020 Integrated Report-Clean Water Act Section 303(d) report of impaired waters.

Please see: <http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-26/814.html>. EPA Region 3 reached out to Region 2 to find out how we wanted to handle informing the SNI about the Pennsylvania 303d list. We responded and R3 agreed that written notification to the Seneca Nation of Indians should come from R3 as it is the lead for PA's 303(d) list. If the Seneca Nation responds in the affirmative, Region 2 would assist Region 3 by facilitating the consultation discussions between the Nation and R3. As of July 14, 2020, R3 had not sent out its letter to the SNI. We have reached out to Lisa Maybee of the SNI to let her know we expected the list to be posted and that it had been posted. (POCs: A. Boucher/D. Gurdak)

Regional Administrator's Pending Action Items:

Subject	Date Sent to RA's Office	Required By/ Due Date	Comments
Lake Ontario Lakewide Action and Management Plan (LAMP) Review	February 25, 2020	March 17, 2020	RA input sought prior to U.S. concurrence on public release of the LAMP on www.binational.net
Draft letter response to Lisa Jaeger, the Chairperson for the Windham Chamber of Commerce	April 3, 2020	NA	
Peconic Estuary	June 26, 2020	July 7, 2020	RA input sort prior to

Partnership 2020 CCMP Review			Region 2 and HQ approval of the PEP CCMP
HARS Site Management and Monitoring Plan (signature)	7/13	ASAP	RA briefing was held on July 13. RA indicated that he was willing to sign. Copy of signature page sent to RA on July 13.
Long Island Sound GAO	June 24, 2020	Date not specified, but GAO has contacted us asking about our response.	RA input sought prior to MSD drafting a note for RA to send to HQ. Note: The R1 RA has reviewed and approved the draft response.

Enforcement Report

NON-CONFIDENTIAL ITEMS:

Camden County Agrees to Pay Penalty for Violations of Clean Water Act MS4 Permit. On July 8, 2020, Region 2 issued a Consent Agreement and Final Order settling its Administrative Complaint against Camden County under the Clean Water Act (CWA), with the County agreeing to pay a penalty of \$32,000. On May 8-9, 2018, the Region conducted an audit of the County's Municipal Separate Storm Sewer System (MS4) and identified numerous violations of the conditions and limits contained in the CWA Section 402 MS4 Permit issued to the County by the New Jersey Department of Environmental Protection. On September 18, 2018, the Region issued the County an Administrative Order, directing it to correct the violations identified during the audit. The County failed to comply with the Order, and, on July 16, 2019, after numerous attempts to obtain compliance, the Region issued an Administrative Complaint. After issuance of the Complaint, Respondent undertook the actions necessary to come into compliance with its permit. (ORC contact: Chris Saporita, 212-637-3203).